

ORDINANCE NO. 2021-36

AN ORDINANCE ADDING SECTION 1.05.080 TO THE WALLA WALLA MUNICIPAL CODE DECLARING CITY HOLIDAYS

WHEREAS, the City of Walla Walla was established in 1862 by an act of the Legislative Assembly of the Territory of Washington and passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW 1.16.050 establishes state legal holidays; and

WHEREAS, Chapter 295 of the 2021 Laws of Washington, for the regular session of the 67th Legislature declared Juneteenth a legal holiday; and

WHEREAS, RCW 35A.11.020 authorizes the City Council to “define the functions, powers, and duties of its ... employees; [and] within the limitations imposed by vested rights, to fix the compensation and working conditions of ... employees...;” and

WHEREAS, the Walla Walla City Council has considered adoption of this ordinance during a regularly and duly called public meeting of said Council, has given careful review and consideration to said ordinance, and finds said ordinance to be in the best interests of the City of Walla Walla,

NOW THEREFORE, the City Council of the City of Walla Walla ordains as follows:

Section 1: Section 1.05.080 is hereby added to the Walla Walla Municipal Code as follows:

1.05.080 Holidays.

A. The following are declared holidays for the City of Walla Walla:

1. The first day of January, commonly called New Year's Day;
2. The third Monday of January, celebrated as the anniversary of the birth of Martin Luther King, Jr.;
3. The third Monday of February, to be known as Presidents' Day and celebrated as the anniversary of the births of Abraham Lincoln and George Washington;
4. The last Monday of May, commonly known as Memorial Day;
5. The nineteenth day of June, recognized as Juneteenth, a day of remembrance for the day the African slaves learned of their freedom;
6. The fourth day of July, the anniversary of the Declaration of Independence;
7. The first Monday in September, to be known as Labor Day;
8. The fourth Thursday in November, to be known as Thanksgiving Day;

9. The Friday immediately following the fourth Thursday in November, to be known as Native American Heritage Day; and
10. The twenty-fifth day of December, commonly called Christmas Day.

B. Whenever a declared holiday:

1. Falls upon a Sunday, the following Monday is the holiday; or
2. Falls upon a Saturday, the preceding Friday is the holiday.

C. Nothing in this section may be construed to have the effect of adding or deleting the number of paid holidays provided for in a collective bargaining agreement to which the City of Walla Walla is a party. The provisions of a collective bargaining agreement regarding holidays shall apply with respect to employees covered by such agreement notwithstanding this section.

Section 2: The City Clerk is authorized and directed to publish a summary hereof in accordance with Revised Code of Washington §§ 35A.13.200 and 35A.12.160.

Section 3: If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

PASSED by the City Council of the City of Walla Walla, Washington, November 17, 2021.



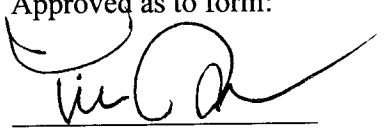
Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

SUMMARY OF ORDINANCE NO. 2021-36

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The full text of the ordinance will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.



ar-4413

Pgs. 112-123

City Council - Regular Meeting

Meeting Date: 11/17/2021

Item Title: Adding Section 1.05.080 to the Walla Walla Municipal Code Declaring City Holidays

Submitted For: Nabel Shawa, City Manager Office, Administration

Financial Comments:

City paid holidays are presently designated in the personnel policies. This action declares those city holidays in the municipal code and does add Juneteenth consistent with state and federal designated holidays.

All Contracts:

Not Applicable

Federally funded contracts only:

Not Applicable

Construction contracts only:

Not Applicable

Brief Summary of Requested Action:

Municipal code amendment adding a new section declaring city holidays.

Information

HISTORY:

Walla Walla's paid holidays are identified in the City's Personnel Policies. This action declares those city holidays within the municipal code versus only identified in the personnel policies. RCW 1.16.050 establishes state legal holidays and the City's designated holidays are consistent with the state. Beginning in 2022, Substitute House Bill (SHB) 1016 makes Juneteenth (June 19) a new paid state holiday. SHB became effective July 25, 2021. While local governments are not required to follow state legal holiday schedule, local governments typically do.

Amending the municipal code to add section 1.05.080 is prudent to clearly identify city holidays and when city offices are closed.

POLICY ISSUES:

Determine whether to include city holidays within the municipal code versus only identifying holidays within the personnel policies and collective bargaining agreements.

ALTERNATIVES:

Not adopt the ordinance include a municipal code section.

STAFF RECOMMENDATION:

Adopt the ordinance identifying city holidays within the municipal code.

CITY MANAGER COMMENTS:

Approved for City Council action.

Attachments

Res 2021-36

Sub. House Bill 1016

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1016

Chapter 295, Laws of 2021

67th Legislature
2021 Regular Session

JUNETEENTH—LEGAL HOLIDAY

EFFECTIVE DATE: July 25, 2021

Passed by the House February 25, 2021
Yeas 89 Nays 9

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 9, 2021
Yeas 47 Nays 1

DENNY HECK

President of the Senate

Approved May 13, 2021 11:40 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1016** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 13, 2021

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1016

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By House Appropriations (originally sponsored by Representatives Morgan, Lovick, Ryu, Wicks, Ortiz-Self, Berry, Leavitt, J. Johnson, Kloba, Shewmake, Simmons, Bateman, Lekanoff, Duerr, Fitzgibbon, Chopp, Slatter, Ramos, Ramel, Peterson, Gregerson, Valdez, Callan, Young, Hackney, Cody, Ormsby, Riccelli, Rude, Stonier, Fey, Frame, Santos, Macri, Taylor, Davis, Pollet, Bergquist, and Harris-Talley)

READ FIRST TIME 02/09/21.

1 AN ACT Relating to making Juneteenth a legal holiday; amending
2 RCW 1.16.050; and creating new sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that on June 19,
5 1865, two and one-half years after President Lincoln signed the
6 Emancipation Proclamation and two months after the end of the Civil
7 War, news finally reached Galveston, Texas, that the Civil War had
8 ended and that all enslaved persons were now released from the
9 bondage of slavery. Slavery has left a catastrophic and unrelenting
10 legacy of trauma for generations of Black/African Americans. Racism,
11 discrimination, and inequity have been prevalent throughout the
12 United States of America since 1619, which has cost Black/African
13 Americans life, liberty, and prosperity.

14 The legislature also finds that June 19th has been celebrated in
15 smaller communities across the nation as Juneteenth. Also known as
16 Freedom Day, Jubilee Day, Liberation Day, and Emancipation Day,
17 Juneteenth is a holiday that celebrates the emancipation of those who
18 had been enslaved in the United States. Although this day has special
19 significance for Black/African Americans in the state of Washington,
20 the historical and continued harms of slavery and the rejoicing of

1 the end of this atrocity should be acknowledged and celebrated by all
2 Washingtonians.

3 The legislature intends to designate Juneteenth as a state legal
4 holiday to celebrate the end of chattel slavery. The legislature
5 encourages that this be a day to engage in fellowship with Black/
6 African Americans; revisit our solidarity and commitment to
7 antiracism; educate ourselves about slave history; and continue
8 having conversations that uplift every Washingtonian.

9 **Sec. 2.** RCW 1.16.050 and 2020 c 74 s 2 are each amended to read
10 as follows:

11 (1) The following are state legal holidays:

12 (a) Sunday;

13 (b) The first day of January, commonly called New Year's Day;

14 (c) The third Monday of January, celebrated as the anniversary of
15 the birth of Martin Luther King, Jr.;

16 (d) The third Monday of February, to be known as Presidents' Day
17 and celebrated as the anniversary of the births of Abraham Lincoln
18 and George Washington;

19 (e) The last Monday of May, commonly known as Memorial Day;

20 (f) The nineteenth day of June, recognized as Juneteenth, a day
21 of remembrance for the day the African slaves learned of their
22 freedom;

23 (g) The fourth day of July, the anniversary of the Declaration of
24 Independence;

25 (~~((g))~~) (h) The first Monday in September, to be known as Labor
26 Day;

27 (~~((h))~~) (i) The eleventh day of November, to be known as
28 Veterans' Day;

29 (~~((i))~~) (j) The fourth Thursday in November, to be known as
30 Thanksgiving Day;

31 (~~((j))~~) (k) The Friday immediately following the fourth Thursday
32 in November, to be known as Native American Heritage Day; and

33 (~~((k))~~) (l) The twenty-fifth day of December, commonly called
34 Christmas Day.

35 (2) Employees of the state and its political subdivisions, except
36 employees of school districts and except those nonclassified
37 employees of institutions of higher education who hold appointments
38 or are employed under contracts to perform services for periods of
39 less than twelve consecutive months, are entitled to one paid holiday

1 per calendar year in addition to those specified in this section.
2 Each employee of the state or its political subdivisions may select
3 the day on which the employee desires to take the additional holiday
4 provided for in this section after consultation with the employer
5 pursuant to guidelines to be promulgated by rule of the appropriate
6 personnel authority, or in the case of local government by ordinance
7 or resolution of the legislative authority.

8 (3) Employees of the state and its political subdivisions,
9 including employees of school districts and those nonclassified
10 employees of institutions of higher education who hold appointments
11 or are employed under contracts to perform services for periods of
12 less than twelve consecutive months, are entitled to two unpaid
13 holidays per calendar year for a reason of faith or conscience or an
14 organized activity conducted under the auspices of a religious
15 denomination, church, or religious organization. This includes
16 employees of public institutions of higher education, including
17 community colleges, technical colleges, and workforce training
18 programs. The employee may select the days on which the employee
19 desires to take the two unpaid holidays after consultation with the
20 employer pursuant to guidelines to be promulgated by rule of the
21 appropriate personnel authority, or in the case of local government
22 by ordinance or resolution of the legislative authority. If an
23 employee prefers to take the two unpaid holidays on specific days for
24 a reason of faith or conscience, or an organized activity conducted
25 under the auspices of a religious denomination, church, or religious
26 organization, the employer must allow the employee to do so unless
27 the employee's absence would impose an undue hardship on the employer
28 or the employee is necessary to maintain public safety. Undue
29 hardship shall have the meaning established in rule by the office of
30 financial management under RCW 43.41.109.

31 (4) If any of the state legal holidays specified in this section
32 are also federal legal holidays but observed on different dates, only
33 the state legal holidays are recognized as a paid legal holiday for
34 employees of the state and its political subdivisions. However, for
35 port districts and the law enforcement and public transit employees
36 of municipal corporations, either the federal or the state legal
37 holiday is recognized as a paid legal holiday, but in no case may
38 both holidays be recognized as a paid legal holiday for employees.

39 (5) Whenever any state legal holiday:

1 (a) Other than Sunday, falls upon a Sunday, the following Monday
2 is the legal holiday; or

3 (b) Falls upon a Saturday, the preceding Friday is the legal
4 holiday.

5 (6) Nothing in this section may be construed to have the effect
6 of adding or deleting the number of paid holidays provided for in an
7 agreement between employees and employers of political subdivisions
8 of the state or as established by ordinance or resolution of the
9 local government legislative authority.

10 (7) The legislature declares that the following days are
11 recognized as provided in this subsection, but may not be considered
12 legal holidays for any purpose:

13 (a) The thirteenth day of January, recognized as Korean-American
14 day;

15 (b) The twelfth day of October, recognized as Columbus day;

16 (c) The ninth day of April, recognized as former prisoner of war
17 recognition day;

18 (d) The twenty-sixth day of January, recognized as Washington
19 army and air national guard day;

20 (e) The seventh day of August, recognized as purple heart
21 recipient recognition day;

22 (f) The second Sunday in October, recognized as Washington state
23 children's day;

24 (g) The sixteenth day of April, recognized as Mother Joseph day;

25 (h) The fourth day of September, recognized as Marcus Whitman
26 day;

27 (i) The seventh day of December, recognized as Pearl Harbor
28 remembrance day;

29 (j) The twenty-seventh day of July, recognized as national Korean
30 war veterans armistice day;

31 (k) The nineteenth day of February, recognized as civil liberties
32 day of remembrance;

33 ~~(l) ((The nineteenth day of June, recognized as Juneteenth, a day
34 of remembrance for the day the slaves learned of their freedom;~~

35 ~~(m))~~ The thirtieth day of March, recognized as welcome home
36 Vietnam veterans day;

37 ~~((n))~~ (m) The eleventh day of January, recognized as human
38 trafficking awareness day;

39 ~~((o))~~ (n) The thirty-first day of March, recognized as Cesar
40 Chavez day;

1 ~~((p))~~ (o) The tenth day of April, recognized as Dolores Huerta
2 day;

3 ~~((q))~~ (p) The fourth Saturday of September, recognized as
4 public lands day; and

5 ~~((r))~~ (q) The eighteenth day of December, recognized as blood
6 donor day.

7 NEW SECTION. **Sec. 3.** If specific funding for the purposes of
8 this act, referencing this act by bill or chapter number, is not
9 provided by June 30, 2021, in the omnibus appropriations act, this
10 act is null and void.

Passed by the House February 25, 2021.

Passed by the Senate April 9, 2021.

Approved by the Governor May 13, 2021.

Filed in Office of Secretary of State May 13, 2021.

--- END ---



WALLA WALLA
UNION-BULLETIN
 We Bring the Valley to You
 PO Box 1358, Walla Walla, WA 99362

Ad Copy

-Affidavit of Publication-

STATE OF WASHINGTON, }
 County of Walla Walla } ss.

Judy Hudson, being first duly sworn upon oath deposes and says that she/he is a Clerk of the Walla Walla Union-Bulletin, Inc. Publisher of the WALLA WALLA UNION-BULLETIN, approved as a legal newspaper by order of the Superior Court of the State of Washington, in and for Walla Walla County; as such officer I make this affidavit on behalf of said publisher.

The legal notice, a true copy of which is annexed hereto, SUMMARY OF ORDINANCE NO. 2021-36 AN, was published in the regular issues (and not in supplement form) of said newspaper, for a period of 1 times, the first insertion being on 11/23/2021 and the last insertion being on 11/23/2021, both dates inclusive,

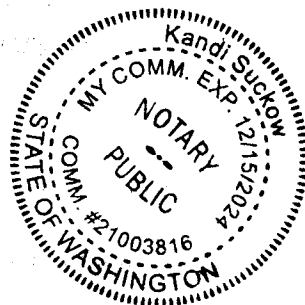
Dates Ad Ran:
 WW Union-Bulletin 11/23/21
 Union-Bulletin.com 11/23/21

and said newspaper was regularly distributed to its subscribers during all of said period.
 The full amount of the fee charged for the foregoing publication is the sum of \$160.76.

Judy Hudson
 Clerk

Subscribed and sworn to before me this 24th day of, November 2021

Kandi Suckow
 Notary Public in and for the State of Washington
 Residing at Walla Walla, Washington



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Summary approved as to form City Attorney (Pub. Nov. 23, 2021)